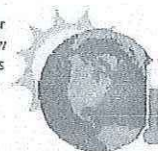


## Wetlands

Move your cursor over the globe to learn how climate change affects the data on this page, or click on it for more detailed information



### Inland Wetlands:

Inland wetlands are defined, in Connecticut, as land, including submerged land (not including tidal wetlands) "which consists of any of the soil types designated as poorly drained, very poorly drained, alluvial, and floodplain by the [National Cooperative Soils Survey](#), as may be amended from time to time, of the Natural Resources Conservation Service (NRCS) of the United States Department of Agriculture (USDA)".<sup>25</sup> According to data from the USDA's NRCS, there are or were approximately 95,000 acres of alluvial and floodplain soils and 366,000 acres of poorly drained and very poorly drained soils in Connecticut. Collectively, the area underlain by these soils accounted for a minimum of approximately 14 percent of the total area in Connecticut.

### Implementation of the inland wetlands law has been problematic.

Activities that are likely to affect inland wetlands and watercourses are regulated by each town's municipal inland wetlands agency. Regulated activities include, but are not limited to, filling, dredging, clearing, grubbing, grading, piping, culverting, channelizing, diverting, damming, dewatering or otherwise temporarily or permanently altering inland wetlands and watercourses. A report by the Council in 2008, "[Swamped](#)", identified a number of problems with how the law is implemented. Though some improvements have been made, there remain structural impediments to efficient implementation:

- Forms that are required to be submitted by municipalities on the actions of their inland wetlands agencies are not submitted electronically. This requires the limited staff resources to convert the written filings to electronic records.
- The requirement that at least one member of a municipal inland wetlands agency be trained is not enforced.\*
- The Inland Wetlands Management Section at the Department of Energy and Environmental Protection (DEEP) has developed an online training program and produced a number of high-quality educational videos.\*\* However, there is no guarantee that funding to maintain or update the on-line training will continue to be available.


### Tidal Wetlands:

Tidal wetlands are defined in the Tidal Wetlands Act by their current or former tidal connection, and their capacity to support certain wetland vegetation. Unlike inland wetlands, tidal wetlands are regulated exclusively by DEEP and not by municipal inland wetlands agencies. Tidal wetlands are threatened with inundation, due to a rise in sea level attributed to the impacts of climate change, that will result in loss of habitat for marsh-dependent species.

Wetlands serve many functions; one of them being their unique ability to store and sequester carbon. Tidal wetlands remove more carbon dioxide (CO<sub>2</sub>) from the atmosphere per hectare than forests. Likewise, forested wetlands, which comprise most of the inland wetlands in the state serve as important carbon sinks and continue to sequester carbon as organic matter within the forested system (both above and below ground). Although coastal wetlands are generally better carbon sinks than freshwater wetlands, the substantial extent of forested wetlands across the state should be recognized as important to greenhouse gas (GHG) mitigation strategies and incorporated into inland wetland protection efforts in Connecticut.<sup>26</sup>

**Technical Note:** \*Connecticut General Statutes (CGS) Section 22a-42(d) requires that at least one member of the inland wetlands agency or staff of the agency be a person who has completed the comprehensive training program. \*\*An online course would fulfill that training requirement as well as for duly authorized agents (pursuant to CGS section 22a-42a(c)(2)); however, that online training is not currently available. In addition, many towns (up to 20 percent) fail to meet their mandated reporting requirements. The unreliability of municipal data led the Council to drop its tracking of "reported" wetlands lost.

## How are Inland Wetlands and Watercourses Defined in Connecticut?

We usually identify wetlands and watercourses using the familiar terms marsh, swamp, river, brook, pond or lake. However, the CT [Inland Wetlands and Watercourse Act](#) (Act) defines inland wetlands by soil. The soil types are poorly drained, very poorly drained, alluvial, and floodplain. 

Identifying inland wetlands by soils allows us to recognize those areas during times of drought when no surface water present, or during winter when characteristic wetland indicator plants may not be obvious.

Inland wetlands *may not always* appear wet. For example, all floodplain soils are considered inland wetlands regardless of drainage class and some floodplain soils can be quite dry.

Areas disturbed by human activities and no longer in their natural state, may or may not be classified as wetlands due to their soil characteristics. The National Resources Conservation Service (NRCS) provides [Clarification of Wetland Criteria](#) as guidance for interpreting Connecticut's soil types. Consult with a natural resource professional with the proper expertise, such as a soil scientist, if this is an issue at your location of interest.

### Wetland Soils

Wetland soils are defined in the Act by soil drainage class and landscape position:

#### Poorly drained

These soils occur where the water table is at or just below the ground surface, usually from late fall to early spring. The land where poorly drained soils occur is nearly level or gently sloping. Many of our red maple swamps are on these soils.

#### Very poorly drained

These soils generally occur on level land or in depressions. In these areas, the water table lies at or above the surface during most of the growing season. Most of our marshes and bogs are on these soils.

#### Alluvial and Floodplain

These soils occur along watercourses occupying nearly all level areas subject to periodic flooding. These soils are formed when material is deposited by flowing water. Such material can be composed of clay, silt, sand or gravel. Alluvial and floodplain soils range from excessively drained to very poorly drained.

### Types of Watercourses

The Act also defines the term watercourses very broadly to mean rivers, streams, brooks, waterways, lakes, ponds, marshes, swamps, bogs and all other bodies of water, natural or artificial, vernal or intermittent, public or private. Although the Act defines inland wetlands and watercourses separately, they occasionally may represent the same area as in the case of a marsh or swamp. Types of watercourses include:

#### Marshes

Located in low lying areas having a high water table and characterized by the absence of trees and shrubs. The dominant vegetation in marshes is soft-stemmed plants such as cattail, bull rush and pickerelweed. However, some marshes can support woody vegetation.

## Swamps

Located in low lying or gently sloping areas, but unlike marshes, are characterized by the presence of trees and shrubs. Soft-stemmed plants, such as tussock sedge, form the ground level vegetation.

## Bogs

Unlike marshes and swamps, bogs are most often located in glacial kettle holes. Water pools in these depressions forming an acidic environment where many unique forms of vegetation grow. The most characteristic plant in a bog is Sphagnum moss. Sphagnum forms mats along the bog surface. New layers grow on top of the old, which subsequently become compacted with other plant debris to form peat. The depth of peat accumulation can exceed 40 feet.

## Intermittent Watercourses

Recognized by a defined permanent channel and bank and the occurrence of two or more of the following characteristics:

1. Evidence of scour or deposits of recent alluvium or detritus;
2. The presence of standing or flowing water for a duration longer than a particular storm incident; and,
3. The presence of hydrophytic vegetation.

Intermittent watercourses provide valuable fishery habitat during the spring months and during times of high flow and are an integral part of the natural storm water drainage system.

## Other Waterbodies

Includes ephemeral waterbodies, such as vernal pools.

## Inland vs. Tidal Wetlands

Unlike inland wetlands which are defined by soil type and typically regulated by the municipalities of CT, tidal wetlands are defined in the Tidal Wetlands Act by their current or former tidal connection, and their capacity to support certain wetland vegetation. Tidal wetlands are regulated exclusively by the CT DEEP and not by municipal inland wetlands agencies.

## Federal vs. Connecticut's Wetlands Definitions

These separate and independent regulatory processes define wetlands differently:

- Connecticut's definition of inland wetlands is based on soil characteristics.
- The Federal Clean Water Act (CWA) Section 404 definition for wetlands is based on a three-part criteria:
  1. soil characteristics;
  2. hydrophytic vegetation; and,
  3. hydrology.

For more information regarding tidal or inland wetlands contact the DEEP's Land and Water Resources Division at (860) 424-3019.

For information on federal wetlands contact the U.S. Army Corps of Engineers at (800) 343-4789.

last accessed 5/29/2021

## Press Releases



**CONNECTICUT DEPARTMENT OF TRANSPORTATION  
NEWS RELEASE  
2800 BERLIN TURNPIKE P.O. BOX 317546  
NEWINGTON CONNECTICUT, 06131-7546**

02/04/2019

### CTDOT to Improve Salt Storage Facility on Ryders Lane Adjacent to Route 15 in Stratford

The Connecticut Department of Transportation's (Department) Office of Engineering is developing plans for improving the Department's existing winter storm operations site on Ryders Lane adjacent to Route 15 in Stratford.

The project involves constructing a new salt storage building similar in appearance to the recently completed Fairfield (CT Route 15, Exit 46) and New Canaan (CT Route 15, Exit 37) projects. Site work will include paved loading/operations area, a personnel shelter, magnesium chloride tank, landscaping, site illumination, and associated improvements. The Department's schedule to complete the final plans is September 2019. The project will be 100 percent state funded. TOP

This project is necessary because the current salt storage shed is functionally obsolete and does not comply environmentally with the Department's standing agreement with the Department of Energy and Environmental Protection (DEEP). Additionally, the site is critical in winter storm operations in Stratford and this area of the state. The maintenance operations and traffic at the site will remain unchanged.

It is the Department's policy to keep the public informed and involved when such projects are undertaken. It is important that the community share its concerns with us to assist in the project's development. If there is adequate interest, an informational meeting will be conducted. At this time, it is not anticipated that a formal public hearing will be necessary.

Anyone interested in receiving information on this project may do so by contacting Mr. Matthew Easdon, Project Engineer, at (860) 594-3393 or by e-mail at [matthew.easdon@ct.gov](mailto:matthew.easdon@ct.gov). Please make reference to the Stratford salt shed construction project, Project No. 138-247.

FOR FURTHER INFORMATION:  
OFFICE OF COMMUNICATIONS  
TELEPHONE: (860) 594-3062  
FAX: (860) 594-3065  
WEB SITE: [www.ct.gov/dot](http://www.ct.gov/dot)

5/27/2021, 2:38 PM

1 of 1

Subject: Re: Housatonic River wetland damage  
From: Patrick Comins <pcomins@ctaudubon.org>  
Date: 5/27/2021, 6:23 AM  
To: Dorothy A Smulley <francesca04@gmail.com>

I will check with some of my contacts at the state.

Patrick Comins, Executive Director

On May 26, 2021, at 11:34 PM, Dorothy A Smulley <francesca04@gmail.com> wrote:

I live in a 60-unit townhouse condo association, Oronoque Shores, situated on the banks of the Housatonic River just south of Sikorsky Bridge in Stratford. During the past few weeks, the DMV state agency has been contaminating protected wetlands with unprocessed toxic fill to recontour sections of wetlands. The result of the recontour seals off a ravine which runs behind a row of ten units. The ravine acts as a natural overflow valve during severe storms and high tides and thus, prevents flooding to the nearby residents.

This area being sealed is active as a seasonal habitat for herons, plovers and others. This is also an area for migrating birds during the fall season. The consequence of DMV's activity terminates use of the wetlands.

My understanding is neither applicable state agency nor the local Stratford Wetlands Commisisions were not notified in advance nor has any permit been granted. And if a permit was granted, no notice has been issued to Oronoque residents who are directly affected by this activity. No public hear has been held. Thus, the DMV acts without consideration to local requirements and state laws, all of which should protect against damage to protected wetlands.

I would appreciate any insight you may have as to what to do and where to begin. Thanks for your time and attention.

Dorothy A Smulley  
408 Bar Harbour Road  
Stratford CT 06614  
tel/fax 203 386 0171  
email [francesca04@gmail.com](mailto:francesca04@gmail.com)

E11

**Subject:** Potential wetland violation in Stratford- Housatonic River  
**From:** "Kozak, David" <David.Kozak@ct.gov>  
**Date:** 5/27/2021, 9:50 AM  
**To:** DEEP.LWRDEnforcement <DEEP.LWRDEnforcement@ct.gov>  
**CC:** "francesca04@gmail.com" <francesca04@gmail.com>

On May 26, 2021, at 11:34 PM, Dorothy A Smulley <francesca04@gmail.com> wrote:

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Dorothy A Smulley  
408 Bar Harbour Road  
Stratford CT 06614  
tel/fax 203 386 0171  
email [francesca04@gmail.com](mailto:francesca04@gmail.com)

David J. Kozak  
Senior Coastal Planner  
Land and Water Resources-Planning Division  
Bureau of Water Protection and Land Reuse  
Connecticut Department of Energy and Environmental Protection  
79 Elm Street, Hartford, CT 06106-5127  
P: 860.424.3608 | F: 860.424.4054 | E: [david.kozak@ct.gov](mailto:david.kozak@ct.gov)



[www.ct.gov/deep](http://www.ct.gov/deep)

*Conserving, improving and protecting our natural resources and environment;  
Ensuring a clean, affordable, reliable, and sustainable energy supply.*

**Subject:** Housatonic Wetland  
**From:** John Casey <jcasey@townofstratford.com>  
**Date:** 5/28/2021, 11:31 AM  
**To:** "francesca04@gmail.com" <francesca04@gmail.com>

Good morning Dorothy,

Can you let us know if the subject of your email is the project to the north of where you live (at the DOT maintenance yard) or the smaller one on the corner of Ryders La to the south of the Condos (the town pump station renovation)?

Thank you.

John

*John R. Casey, P.E.*  
**Town Engineer**  
Town of Stratford, CT  
(203) 385-4013 (o)  
(203) 331-5476 (c)  
[www.townofstratford.com](http://www.townofstratford.com)

Begin forwarded message:

**From:** Patrick Comins <pcomins@etaudubon.org>  
**Date:** May 27, 2021 at 6:23:16 AM EDT  
**To:** Dorothy A Smulley <francesca04@gmail.com>  
**Subject:** Re: Housatonic River wetland damage

On May 26, 2021, at 11:34 PM, Dorothy A Smulley <francesca04@gmail.com> wrote:

I live in a 60-unit townhouse condo association, Oronoque Shores, situated on the banks of the Housatonic River just south of Sikorsky Bridge in Stratford. During the past few weeks, the DMV state agency has been contaminating protected wetlands with unprocessed toxic fill to recontour sections of wetlands. The result of the recontour seals off a ravine which runs behind a row of ten units. The ravine acts as a natural overflow valve during severe storms and high tides and thus, prevents flooding to the nearby residents.

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My understanding is neither applicable state agency nor the local Stratford Wetlands Commisissions were not notified in advance nor has any permit been granted. And if a permit was granted, no notice has been issued to Oronoque residents who are directly affected by this activity. No public hear has been held. Thus, the DMV acts without consideration to local requirements and state laws, all of which should protect against damage to protected wetlands.

I would appreciate any insight you may have as to what to do and where to begin. Thanks for your time and attention.

Dorothy A Smulley  
408 Bar Harbour Road

From: John Casey <[jcasey@townofstratford.com](mailto:jcasey@townofstratford.com)>  
Date: May 28, 2021 at 7:55:18 AM EDT  
To: Steven Johnson <[StevenJohnson@milfordct.gov](mailto:StevenJohnson@milfordct.gov)>  
Cc: Kelly Kerrigan <[kkerrigan@townofstratford.com](mailto:kkerrigan@townofstratford.com)>  
Subject: Re: Housatonic River wetland damage

Good morning Steve,

The DOT is rebuilding their salt storage shed at the maintenance yard near the Sikorsky bridge. This work includes a stormwater management basin, which was constructed adjacent to a channel in the tidal marsh.

Our Conservation Administrator walked the site last year and there are no Inland Wetlands.

It's unlikely that any tidal wetlands were filled during their project, but I will forward this email chain to the DOT project engineer to investigate and respond to the Oronoque Shore resident.

John



Hello Dorothy,

I am the project manager for the DOT salt shed project taking place at the south end of Ryders Lane.

I am under the impression this is not be us and is a separate private project as we are within our project limits, have an active permit and currently not doing any construction near the wetlands.

Please see the image below as we are located at the area in yellow and there is another project taking place where I marked the blue circle.



Best

Amber Berry  
Transportation Engineer 2

CTDOT - District 3 Office  
138-247 Chief Inspector  
Office: 203-375-9602

Fax: 203-375-9603

---

From: John Casey <jcasey@townofstratford.com>  
Sent: Friday, May 28, 2021 9:07 AM  
To: Berry, Amber A. <Amber.Berry@ct.gov>  
Cc: Kelly Kerrigan <kkerrigan@townofstratford.com>  
Subject: Re: Housatonic River wetland damage

EXTERNAL EMAIL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

E15

Hi Amber,

This resident is from Oronoque Shores Condo (not Oronoque Village), which is adjacent to the DOT site. She lives at 408 Bar Harbour Road. If you could contact them and check out their complaint, that would be appreciated.

Thank you,

John

---

**From:** Barry, Amber A. <[Amber.Barry@ct.gov](mailto:Amber.Barry@ct.gov)>  
**Sent:** Friday, May 28, 2021 8:18 AM  
**To:** John Casey <[jcasey@townofstratford.com](mailto:jcasey@townofstratford.com)>  
**Cc:** Kelly Kerrigan <[kkerrigan@townofstratford.com](mailto:kkerrigan@townofstratford.com)>  
**Subject:** RE: Housatonic River wetland damage

Hi John,

I think your resident is mistaken in regards to the responsibility of this dilemma, this may be a private project.

Our project is located at the SW side and we are within our project limits with an active permit.

I have highlighted where we are in relation to Oronoque Village Condominiums below.



Best

E16

Amber Berry  
Transportation Engineer 2

CTDOT - District 3 Office  
138-247 Chief Inspector  
Office: 203-375-9602

Fax: 203-375-9603

---

From: John Casey <[jcasey@townofstratford.com](mailto:jcasey@townofstratford.com)>  
Sent: Friday, May 28, 2021 8:01 AM  
To: Berry, Amber A. <[Amber.Berry@ct.gov](mailto:Amber.Berry@ct.gov)>  
Cc: Kelly Kerrigan <[kkerrigan@townofstratford.com](mailto:kkerrigan@townofstratford.com)>  
Subject: Fw: Housatonic River wetland damage

EXTERNAL EMAIL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Good morning Amber,

Please review the email below, which claims that the project is contaminating protected wetlands with unprocessed toxic fill to recontour sections of wetlands. The result of the recontour seals off a ravine which runs behind a row of ten units and says the consequence of the activity terminates use of the wetlands.

Can you please investigate and respond to the Oronoque Shore resident if there is an issue that needs to be addressed?

Thank you,

John

*John R. Casey, P.E.*

**Town Engineer**

Town of Stratford, CT

(203) 385-4013 (o)

(203) 331-5476 (c)

[www.townofstratford.com](http://www.townofstratford.com)

Subject: Re: Housatonic River wetland damage  
 From: Dorothy A Smulley <francesca04@gmail.com>  
 Date: 5/29/2021, 9:46 PM  
 To: John Casey <jcasey@townofstratford.com>, "Berry, Amber A." <Amber.Berry@ct.gov>, david.kozak@ct.gov, DEEP.LWRDEnforcement@ct.gov  
 CC: Patrick Comins <pcomins@ctaudubon.org>, mayor@townofstratford.com

I'm puzzled by the statement of no inland wetlands. The Housatonic inland wetland ravine is part of my backyard and the backyard of nine other homes. This is the "400 Bar Harbour row" of ten Oronoque Shores homes. The "600 Jamestown row" of ten homes sits directly in the inland wetlands and also affected by the recontour and sealing of the mouth of the ravine. Who is the conservation administrator who walked the site?. Did the conservation administrator walk the ravine? Certainly, this administrator was not in touch with anyone at Oronoque Shores and if the person was in touch with someone, the communication with 60 home owners was inadequate.

The ravine acts as a tidal regulator during storms and high tides. The DOT fill-in of the wetlands along the Housatonic on the Stratford side permanently raises the risk of flooding which would not exist but for DOT's failures. Those failures include lack of an environmental impact study and a public hearing. A news release I found on the DOT website dated 2/4/2019, more than 2 years ago, clearly states no public hearing anticipated. If this project had been done pursuant to DOT's own regulations, Oronoque Shores' residents would not be at risk of flooding as we are today. Stratford town and the DOT has an obligation to all citizens to properly communicate such risks before those risks occur. Stratford town had an obligation to investigate and communicate in full which was not done.

Irrespective of all the people and agencies involved in such a project, no one communicated or had concern over the lack of a public hearing. I would appreciate advice. Thanks for your time and attention.

Dorothy A Smulley  
 408 Bar Harbour Road  
 Stratford CT 06614  
 tel/fax 203 386 0171  
 email [francesca04@gmail.com](mailto:francesca04@gmail.com)

On 5/29/2021 5:04 PM, Patrick Comins wrote:

Is this in Stratford or Milford? I did hear back from Milford:

**From:** John Casey <[jcasey@townofstratford.com](mailto:jcasey@townofstratford.com)>  
**Date:** May 28, 2021 at 7:55:18 AM EDT  
**To:** Steven Johnson <[StevenJohnson@milfordct.gov](mailto:StevenJohnson@milfordct.gov)>  
**Cc:** Kelly Kerrigan <[kkerrigan@townofstratford.com](mailto:kkerrigan@townofstratford.com)>  
**Subject:** Re: Housatonic River wetland damage

Good morning Steve,

The DOT is rebuilding their salt storage shed at the maintenance yard near the Sikorsky bridge. This work includes a stormwater management basin, which was constructed adjacent to a channel in the tidal marsh.

Our Conservation Administrator walked the site last year and there are no Inland Wetlands.

It's unlikely that any tidal wetlands were filled during their project, but I will forward this email chain to the DOT project engineer to investigate and respond to the Oronoque Shore resident.

John

Patrick Comins, Executive Director

E18

**Subject:** Automatic reply: Housatonic River wetland damage  
**From:** DEEP.LWRDEnforcement <DEEP.LWRDEnforcement@ct.gov>  
**Date:** 5/29/2021, 9:47 PM  
**To:** Dorothy A Smulley <francesca04@gmail.com>

*Thank you for contacting the Enforcement and Compliance Section of the Land and Water Resources Division. We will review the information you have provided and investigate any alleged violations of state laws and regulations. If you would like an update on our response, please send us an email using this same email address.*

Thank you,

**Enforcement & Compliance Section**

Land & Water Resources Division  
Bureau of Water Planning & Land Reuse  
Connecticut Department of Energy & Environmental Protection  
79 Elm Street, Hartford, CT 06106-5127

[www.portal.ct.gov/DEEP](http://www.portal.ct.gov/DEEP)

**Subject:** Re: Housatonic River wetland damage  
**From:** "Berry, Amber A." <Amber.Berry@ct.gov>  
**Date:** 6/1/2021, 10:05 AM  
**To:** Dorothy A Smulley <francesca04@gmail.com>, John Casey <jcasey@townofstratford.com>, "Kozak, David" <David.Kozak@ct.gov>, DEEP.LWRDEnforcement <DEEP.LWRDEnforcement@ct.gov>  
**CC:** Patrick Comins <pcomins@ctaudubon.org>, "mayor@townofstratford.com" <mayor@townofstratford.com>, "Woodward, Travis J" <Travis.Woodward@ct.gov>

Hello,

We would like to have a field meeting this week to locate this dilemma.

Please let us know what day and time will work for everyone. Perhaps tomorrow at 9am (we have a progress meeting at 11am) or Thursday at 1pm will work?

Best

Amber Berry  
 Transportation Engineer 2  
 CTDOT - District 3 Office  
 138-247 Chief Inspector  
 Office: 203-375-9602  
 Fax: 203-375-9603

---

**From:** Dorothy A Smulley <francesca04@gmail.com>  
**Sent:** Saturday, May 29, 2021 9:46 PM  
**To:** John Casey <jcasey@townofstratford.com>; Berry, Amber A. <Amber.Berry@ct.gov>; Kozak, David <David.Kozak@ct.gov>; DEEP.LWRDEnforcement <DEEP.LWRDEnforcement@ct.gov>  
**Cc:** Patrick Comins <pcomins@ctaudubon.org>; mayor@townofstratford.com <mayor@townofstratford.com>  
**Subject:** Re: Housatonic River wetland damage

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I'm puzzled by the statement of no inland wetlands. The Housatonic inland wetland ravine is part of my backyard and the backyard of nine other homes. This is the "400 Bar Harbour row" of ten Oronoque Shores homes. The "600 Jamestown row" of ten homes sits directly in the inland wetlands and also affected by the recontour and sealing of the mouth of the ravine. Who is the conservation administrator who walked the site?. Did the conservation administrator walk the ravine? Certainly, this administrator was not in touch with anyone at Oronoque Shores and if the person was in touch with someone, the communication with 60 home owners was inadequate.

The ravine acts as a tidal regulator during storms and high tides. The DOT fill-in of the wetlands along the Housatonic on the Stratford side permanently raises the risk of flooding which would not exist but for DOT's failures. Those failures include lack of an environmental impact study and a public hearing. A news release I found on the DOT website dated 2/4/2019, more than 2 years ago, clearly states no public hearing anticipated. If this project had been done pursuant to DOT's own regulations, Oronoque Shores' residents would not be at risk of flooding as we are today. Stratford town and the DOT has an obligation to all citizens to properly communicate such risks before those risks occur. Stratford town had an obligation to investigate and communicate in full which was not done.

Irrespective of all the people and agencies involved in such a project, no one communicated or had concern over the lack of a public hearing. I would appreciate advice. Thanks for your time and attention.

Dorothy A Smulley  
 408 Bar Harbour Road  
 Stratford CT 06614  
 tel/fax 203 386 0171  
 email [francesca04@gmail.com](mailto:francesca04@gmail.com)

E20

6/5/2021, 7:00 PM

1 of 5

**Subject:** RE: FW: Housatonic River wetland damage  
**From:** "Woodward, Travis J" <Travis.Woodward@ct.gov>  
**Date:** 6/2/2021, 9:31 AM  
**To:** Dorothy A Smulley <francesca04@gmail.com>  
**CC:** John Casey <jcasey@townofstratford.com>, Patrick Comins <pcomins@ctaudubon.org>, "Berry, Amber A." <Amber.Berry@ct.gov>

Good morning Ms. Smulley,

My name is Travis Woodward, I am acting project engineer for the salt shed project while the full time project engineer, Mr. Matt Briggs, is on vacation. The Department has received your concerns regarding our project at the Stratford Maintenance Facility on Ryder's Lane. We take impacts to the environment and natural resources very seriously and would like to offer you some context to the project to ensure we keep our neighbors and the natural resources of the State of Connecticut at the forefront.

The construction project for the Maintenance Facility on Ryders Lane holds a Permit under CTDEEP's "General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities" ("Stormwater Permit") and a Flood Management certification to ensure any potential flooding hazards are identified and mitigated. All work occurs landward of the Housatonic River; no impacts occur within wetlands or watercourses and there are no impacts or recontouring of the existing ravine situated between the Housatonic River and the Maintenance Facility.

It is the Department's policy to keep the public informed when such projects are undertaken. During project design, a notification to the Town of Stratford was sent in January 2019, and a request for comment in July, 2019. A letter to neighbors of the property, including 'Oronoque' neighbors, were sent in February, 2019, describing the site improvements. In addition to a news release (located on the DOT website) and a presentation to the Merritt Parkway Advisory Committee/ Conservancy, the town was notified at every design stage and sent plans and specs. No comments were received at any time that justified a town meeting. The Stormwater Permit was authorized only after a public comment period and issued on 12/22/19. Additionally, part of the application process to CTDEEP requires a review of critical biological resources (species and habitats of concern). A July, 2019 review of the Natural Diversity Database concluded there were no impacts. Standard with DOT projects, soil was tested for hazardous substances; results for soil tested indicated compounds above Residential criteria but below the RCRA Hazardous Waste "Toxic" levels, therefore, the soil is managed accordingly. On May 17, 2021, CTDEEP's Enforcement Division performed a site inspection of the project. At that time, no exceptions were taken.

Site improvements, as shown in the attachments to the letter sent in February 2019 include: vegetative screening and stormwater basin for pre-treatment of stormwater. Additionally, the 'Swallow' species of birds and their nests have recently been identified on site and will be allowed to nest and vacate prior to disturbance of their habitat.

We trust that this information answers all of your concerns. A copy of the letter sent to Oronoque residents in February, 2019 is attached.

Thank you,

**Travis Woodward, P.E.**  
**District 3 - Construction**  
**203-675-3428**

**From:** Dorothy A Smulley <francesca04@gmail.com>  
**Sent:** Friday, May 28, 2021 1:46 PM  
**To:** Berry, Amber A. <Amber.Berry@ct.gov>  
**Cc:** John Casey <jcasey@townofstratford.com>; Patrick Comins <pcomins@ctaudubon.org>  
**Subject:** Re: FW: Housatonic River wetland damage

EXTERNAL EMAIL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Thank you so much for your email. The DOT road which leads to your construction project parallels a deep ravine which serves as a natural overflow valve during storms and high tides. This allows high flood waters to remain at a much lower level than if the mouth of the ravine is restricted. Did the DOT do an engineering study as to the affects of flood with the recontouring of the mouth of the ravine which was filled in for your project? Did the DOT do an environmental study as to the affects to the wetlands as a whole and more specifically to the bird life which had been sustanined prior to your construction project? Was a public hearing held on this construction project? If affirmative, is there any documentation regarding that public meeting? Thank you for your time and attention.  
Dorothy A Smulley

On 5/28/2021 9:16 AM, Berry, Amber A. wrote:

Hello Dorothy,

E21



STATE OF CONNECTICUT  
DEPARTMENT OF TRANSPORTATION



2800 BERLIN TURNPIKE, P.O. BOX 317546  
NEWINGTON, CONNECTICUT 06131-7546

February 11, 2019

To Whom It May Concern:

Subject: State Project No. 138-247  
Salt Storage Facility, Ryders Lane  
Town of Stratford

The Connecticut Department of Transportation's (Department) Office of Engineering is developing plans for improving the Department's existing winter storm operations site on Ryders Lane adjacent to the northbound entrance ramp of Exit 53 of Connecticut Route 15 in Stratford, Connecticut. The purpose of this project is to construct an environmentally compliant salt storage building and to perform associated site improvements at the existing facility.

The project involves constructing a new salt storage building, which is planned to be similar in appearance to the enclosed photographs from the recently completed Fairfield, Connecticut project. Site work will include providing a paved loading/operations area, a personnel shelter, magnesium chloride tank, landscaping, site illumination, and associated improvements. The Department's schedule to complete the final plans is September 2019. The project will be 100 percent state funded.

This project is necessary because the current salt storage shed is functionally obsolete and does not comply environmentally with the Department's standing agreement with the Department of Energy and Environmental Protection (DEEP). Additionally, the site is critical in winter storm operations in Stratford and this area of the state. The maintenance operations and traffic at the site will remain unchanged.

This project will also be presented to the Merritt Parkway Advisory Committee (MPAC) on Wednesday, April 17, 2019. The MPAC is being furnished copies of this letter so they are aware of the concurrent town notification.

It is the Department's policy to keep the public informed when such projects are undertaken. It is important that the community share their concerns with us to assist in the project's development. Accordingly, the enclosed news release describing the proposed project was released through the Department's website on February 4, 2019. If there is adequate interest, an informational meeting will be conducted. At this time, it is not anticipated that a formal public hearing will be necessary.

E22



Should you have any questions please contact the project engineer, Mr. Matthew Easdon,  
at 860-594-3933, or at [matthew.easdon@ct.gov](mailto:matthew.easdon@ct.gov).

Very truly yours,



Christopher J.  
Bonsignore, P.E.  
2019.02.13  
11:09:38-05'00'

Christopher J. Bonsignore, P. E.  
Transportation Principal Engineer  
Bureau of Engineering and Construction

Enclosures

NEWINGTON, CT - The Connecticut Department of Transportation's (Department) Office of Engineering is developing plans for improving the Department's existing winter storm operations site on Ryders Lane adjacent to Route 15 in Stratford.

The project involves constructing a new salt storage building similar in appearance to the recently completed Fairfield (CT Route 15, Exit 46) and New Canaan (CT Route 15, Exit 37) projects. Site work will include a paved loading/operations area, a personnel shelter, magnesium chloride tank, landscaping, site illumination, and associated improvements. The Department's schedule to complete the final plans is September 2019. The project will be 100 percent state funded.

This project is necessary because the current salt storage shed is functionally obsolete and does not comply environmentally with the Department's standing agreement with the Department of Energy and Environmental Protection (DEEP). Additionally, the site is critical in winter storm operations in Stratford and this area of the state. The maintenance operations and traffic at the site will remain unchanged.

It is the Department's policy to keep the public informed and involved when such projects are undertaken. It is important that the community share its concerns with us to assist in the project's development. If there is adequate interest, an informational meeting will be conducted. At this time, it is not anticipated that a formal public hearing will be necessary.

Anyone interested in receiving information on this project may do so by contacting Mr. Matthew Easdon, Project Engineer, at (860) 594-3393 or by e-mail at [matthew.easdon@ct.gov](mailto:matthew.easdon@ct.gov). Please make reference to the Stratford salt shed construction project, Project No. 138-247.



STORAGE YARD  
 EXISTING ESTUARY ACCESS ROAD FOR THE WOODSKY BRIDGE

PROPOSED SALT SHED

SALT SHED OPERATIONAL AREA

TREES AND SHRUBS FOR SCREENING ALONG SNYDSKY ESTUARY WALKING PATH

EXISTING FENCE

EXISTING FENCE

STORMWATER DETENTION BASIN

TREES AND SHRUBS FOR SCREENING

CONSTRUCTION LIMITS

EXISTING HOMES

STRATFORD SALT SHED PROPOSED SITE: PRELIMINARY SITE PLAN  
 PROJECT #188-247  
 DATE: FEBRUARY 2019

E25

Subject: Re: FW: Housatonic River wetland damage  
 From: Dorothy A Smulley <francesca04@gmail.com>  
 Date: 6/2/2021, 11:58 AM  
 To: "Woodward, Travis J" <Travis.Woodward@ct.gov>  
 CC: John Casey <jcasey@townofstratford.com>, Patrick Comins <pcomins@ctaudubon.org>, "Berry, Amber A." <Amber.Berry@ct.gov>, Diana Lisi <dgilisi@optonline.net>

Thank you so much for your communication. Although I have no doubt about the sincerity of DOT and project management, reality at times lies elsewhere.

I am one of sixty owners at Oronoque Shores. I have lived here since 1984. I have no recollection of receiving any communication from either the DOT or the town regarding the project but I am sure such communication was issued. Delivery of mail is not 100%. Whatever permit was issued by the town, such permit was without knowledge of, or communication with, Oronoque Shores. I live at 408 Bar Harbour. Bar Harbour runs east-west and parallel to the wetland ravine which is tidal. The tidal classification means, at least here at Oronoque, the ravine will fill with overflow from the Housatonic during high tide and storms. This does not necessarily occur every day nor does this occur with every storm. However, since I have lived here, the ravine, a portion of which is in my backyard, is well over 15-20 feet deep, and has filled to the top on a number of occasions. This occurred during Hurricane Sandy and was significant. However, the ravine's capacity ebbed and flowed in such a way Oronoque structures did not incur building damage. However, significant damage occurred on the embankments. Other tidal reactions occurred since Sandy and prior thereto.

The DOT filled in a significant portion of the wetland which served as the "mouth" of the ravine. The DOT land extension into the wetland altered permanently the tidal ebb and flow of the ravine and significantly altered the flood plain. The failures which occurred either on the DOT side or Stratford-town side or both, are between state and municipal government which is not my domain. The real concern involves the risk of flood damage which such potential damage was manageable and established by the natural evolution of the wetland topography.

At the very least, an environmental impact study on this flood issue should have been completed irrespective of any communication sent or not sent, received or not received. A simple walk along the ravine on the Oronoque side would have been sufficient to cast doubt and pose questions on the flooding issue. Resources available to DOT are significant and well beyond resources of not just one owner like myself but also well beyond those of 60 owners.

I strongly urge the DOT in conjunction with Stratford town officials to have an *independent* environmental impact study performed which will address, among other things, the permanent alternation of the flood plain, the reduction of the ravine's natural overflow capability and those effects on foundations and building structures of Oronoque. Please advise. Thank you for your time and attention.

Dorothy A Smulley  
 408 Bar Harbour Road  
 Stratford CT 06614  
 tel/fax 203 386 0171  
 email [francesca04@gmail.com](mailto:francesca04@gmail.com)

On 6/2/2021 9:31 AM, Woodward, Travis J wrote:

Good morning Ms. Smulley,

My name is Travis Woodward, I am acting project engineer for the salt shed project while the full time project engineer, Mr. Matt Briggs, is on vacation. The Department has received your concerns regarding our project at the Stratford Maintenance Facility on Ryder's Lane. We take impacts to the environment and natural resources very seriously and would like to offer you some context to the project to ensure we keep our neighbors and the natural resources of the State of Connecticut at the forefront.

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Subject: Re: Housatonic River Wetlands - DOT maintenance facility construction  
From: Kelly Kerrigan <kkerrigan@townofstratford.com>  
Date: 6/8/2021, 2:44 PM  
To: Dorothy A Smulley <francesca04@gmail.com>

Hi Dorothy,

I was present at a pre-construction meeting last summer for this project, as DOT generally keeps me informed on projects in town.

I don't have any documentation, as it was more of a general site walk providing an overview of the proposed plan. I did not observe inland wetlands at this property, as all wetlands appear to be tidally influenced. Further, there aren't any proposed direct impacts to tidal wetlands as part of their project. That is, there is no work proposed in any tidal wetlands. However, it is important to note that tidal wetlands are under the sole jurisdiction of CT DEEP, and not the town.

Please let me know if you have any further questions.

Thanks!

Kelly F. Kerrigan  
Environmental Conservation Superintendent  
Town of Stratford  
550 Patterson Avenue  
Stratford, Connecticut 06614  
(203) 385-4080 office



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**From:** Dorothy A Smulley <francesca04@gmail.com>  
**Sent:** Thursday, June 3, 2021 7:24 PM  
**To:** Kelly Kerrigan <kkerrigan@townofstratford.com>  
**Subject:** Housatonic River Wetlands - DOT maintenance facility construction

I live in Stratford at the north end of town just south of the Merritt Parkway where Oronoque Shores Condominium Association is located. The state DOT is in process of constructing a substantial maintenance facility just off Ryders Lane on the Housatonic River. The DOT filled in a substantial portion of the wetlands to enhance and extend the land for commercial traffic of state vehicles. Town engineer, John Casey, advised the town's conservation administrator walked the site last year which would be sometime during 2020. During the inspection, Mr. Casey advised the conservation administrator found there are no inland wetlands which affect the state DOT project. My understanding is you are the conservation administrator for Stratford.

Would you please forward any documentation you may have regarding the inspection conducted and your findings, if any.

I assume I am contacting the appropriate individual who walked the site. My apologies if I am contacting the wrong person. I would appreciate confirmation either way. Thank you for your time and attention.

--  
Dorothy A Smulley  
408 Bar Harbour Road  
Stratford CT 06614  
tel/fax 203 386 0171  
email [francesca04@gmail.com](mailto:francesca04@gmail.com)